



February 20, 2009

SENATE BILL No. 525

DIGEST OF SB 525 (Updated February 18, 2009 5:03 pm - DI 71)

Citations Affected: IC 5-22.

Synopsis: Purchasing. Provides that a contract entered into by a state agency may require the contractor to offer to political subdivisions the services, supplies, or transportation equipment (including buses) that are the subject of the contract under conditions specified in the contract. Requires a political subdivision to consult at least two purchasing cooperatives (if at least two purchasing cooperatives exist), before purchasing a service, supply, or item of equipment, and to maintain records of the consultations.

Effective: July 1, 2009.

Lubbers, Kruse

January 15, 2009, read first time and referred to Committee on Education and Career Development.
February 19, 2009, amended, reported favorably — Do Pass.

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SB 525—LS 7589/DI 73+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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SENATE BILL No. 525

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-17-9 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) **The general**
3 **assembly finds:**

4 (1) **that there is a public need and benefit for the most efficient**
5 **and effective purchasing systems and methods to be available**
6 **to serve the interests of the public; and**

7 (2) **that the purchasing resources and savings available to the**
8 **state and other cooperative purchasing entities or efforts**
9 **should be encouraged and extended to all political**
10 **subdivisions.**

11 (b) A contract entered into by a state agency may require the
12 contractor to offer to political subdivisions the services, ~~or~~ supplies, **or**
13 **transportation equipment, including buses,** that are the subject of the
14 contract under conditions specified in the contract.

15 (c) **Before making a procurement decision, a political**

SB 525—LS 7589/DI 73+



1 subdivision must consult:
2 (1) at least two (2) cooperative purchasing organizations that
3 offer; or
4 (2) if only one (1) cooperative purchasing organization exists,
5 one (1) cooperative purchasing organization that offers;
6 the same or similar services, supplies, or equipment for purchase.
7 A political subdivision shall maintain records of the cooperative
8 purchasing organizations consulted, including the price of the same
9 or similar service, supply, or equipment, with other relevant
10 documents that support the procurement determination. The
11 records and documents are public records and subject to review by
12 the state board of accounts.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 525, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Page 1, line 5, delete "system" and insert **"systems"**.

Page 1, line 8, after "state" insert **"and other cooperative purchasing entities or efforts"**.

Page 1, line 8, after "be" insert **"encouraged and"**.

Page 1, line 13, delete "Notwithstanding IC 20-27-4 or any other provision, the" and insert **"Before making a procurement decision, a political subdivision must consult:**

(1) at least two (2) cooperative purchasing organizations that offer; or

(2) if only one (1) cooperative purchasing organization exists, one (1) cooperative purchasing organization that offers;

the same or similar services, supplies, or equipment for purchase. A political subdivision shall maintain records of the cooperative purchasing organizations consulted, including the price of the same or similar service, supply, or equipment, with other relevant documents that support the procurement determination. The records and documents are public records and subject to review by the state board of accounts."

Page 1, delete lines 14 through 15.

Delete pages 2 through 5.

and when so amended that said bill do pass.

(Reference is to SB 525 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 11, Nays 0.

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